



**IAP13 Rec'd PCT/PTO 08 JAN 2007** *PCT*  
Attorney Docket No. 1034123-000170

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of

Joseph L. Witztum

Serial No.: 10/552,330

Filed: October 11, 2005

For: **METHODS AND COMPOSITIONS FOR  
TREATING ATHEROSCLEROSIS**

) **MAIL STOP PCT**

) Group Art Unit: Not Yet Known

) Examiner: Not Yet Known

) Confirmation No.: 6646

) **Certificate of Mailing**

) I hereby certify that this paper is being deposited with the  
) United States Postal Service as first class mail on January 3,  
) 2007 and is addressed to the Commissioner for Patents, P.O.  
) Box 1450, Alexandria, VA 22313-1450

) By: *Kim A. Cabello*

) Kim A. Cabello

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER  
35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE  
(DO/EO/US)**

**MAIL STOP: PCT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Enclosed, in response to the Notification of Missing Requirements Under 35 U.S.C. 371  
in the United States Designated/Elected Office (DO/EO/US) for the above-identified patent  
application, are the following:

- [X] Copy of Notification of Missing Requirements Under 35 U.S.C. 371 in the  
United States Designated / Elected Office (DO/EO/US);
- [X] Combined Declaration and Power of Attorney for Utility or Design Patent  
Application;
- [X] Petition for Extension of Time (5-months);

- ☒ Supplemental Application Data Sheet;
- ☒ PTO Form-2038 authorizing a credit card charge of \$1,145.00 in payment of the surcharge for late filing of the oath or declaration (\$65.00); and Petition for Extension of Time (\$1,080.00 - five months);
- ☒ A return receipt postcard.


No additional fees are believed to be due at this time; however the Commissioner is hereby authorized to charge any appropriate fees that may be required by this paper, or to credit any overpayment of fees, to Deposit Account No. 02-4800. This paper is submitted in duplicate.

Respectfully submitted,

BUCHANAN INGERSOLL & ROONEY, LLP

Date: January 3, 2007

By:



Michael Reed, Ph.D.  
Registration No. 45,647

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## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1459  
Alexandria, Virginia 22313-1450  
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/552,330	Joseph L. Witztum	034123-170

INTERNATIONAL APPLICATION NO.
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PCT/US04/11333

I.A. FILING DATE	PRIORITY DATE
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04/12/2004

04/11/2003

41790  
BUCHANAN INGERSOLL LLP  
(INCLUDING BURNS, DOANE, SWECKER & MATHIS)  
P.O. BOX 1404  
ALEXANDRIA, VA 22313-1404

CONFIRMATION NO. 6646

371 FORMALITIES LETTER



\*OC000000019086630\*

Date Mailed: 06/05/2006

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 10/11/2005
- Copy of the International Search Report filed on 10/11/2005
- Preliminary Amendments filed on 10/11/2005
- Information Disclosure Statements filed on 01/19/2006
- U.S. Basic National Fees filed on 10/11/2005
- Priority Documents filed on 10/11/2005

01/10/2007 MKAYPAGH 00000053 10552330

02 FC:2617 65.00 DP

The applicant needs to satisfy supplemental fees problems indicated below.

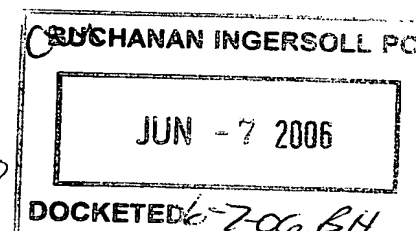
The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

## SUMMARY OF FEES DUE:

Total additional fees required for this application is \$65 for a Small Entity:

- \$65 Surcharge.



1034123-000170  
JRB/MPR

Missing Pate Due 8-5-06

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

SHAKEEL AHMED

Telephone: (703) 308-9140 EXT 208

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/552,330	PCT/US04/11333	034123-170